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MAY 29 2013
AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
5/15/13
DEPUTY

13-1190TJS

**AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT AUTHORIZING
THE DNA SAMPLE COLLECTION FOR CHRISTOPHER LEE STEVENS, JR.**

Greg Rotberg, a Special Agent ("SA") with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), being duly sworn, states:

INTRODUCTION / AGENT BACKGROUND

1. I am an "investigative or law enforcement officer of the United States" within the meaning of § 2510(7) of Title 18, United States Code (U.S.C.), that is, an officer of the United States empowered by law to conduct investigations of and to make arrests for offenses enumerated in of Title 18 U.S.C. § 2516.

2. I have been a Special Agent with the ATF for eight (8) years. Since I have been in law enforcement, I have participated in investigations regarding firearms, including violations of Title 18 U.S.C. § 922. I have participated in investigations involving burglaries of Federal Firearms Licensees as well as investigations regarding the recovery of illegal items to include, but not limited to: firearms, clothing and disguises, narcotics, narcotics packaging and paraphernalia, and financial proceeds related to criminal activity. I am currently assigned to a Federal Task Force which investigates firearms, firearms trafficking, and related offenses. Through my training and experience, I have become familiar with the manner in which firearms violations are committed and concealed. I also generally know that Deoxyribonucleic Acid ("DNA") can be found on items such as tools, firearms and other items left at a crime scene which can be compared to a sample of DNA from a known person.

3. This affidavit is being submitted in support of an application for a search warrant to obtain samples of DNA for comparison purposes in the form of saliva for CHRISTOPHER

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LEE STEVENS, JR., a white male, with a June 16, 1991 date of birth, a social security account number ending in 6808, and having been assigned an FBI number of 230326ED1. STEVENS is further described as being approximately five feet eleven inches tall and 170 pounds, with blue eyes and multiple tattoos on his face, neck, chest, back and arms. A booking photograph is attached as Exhibit 1 to this Affidavit. STEVENS is currently detained at the Frederick County Adult Detention Center, located at 7300 Marcies Choice Lane, Frederick, Maryland, 21704, which is in the District of Maryland. I seek to seize this evidence in relation to violations of Title 18 U.S.C. § 922, which relate to the theft of a Federal Firearms Licensee and the possession by a prohibited person of stolen firearms.

4. Because this affidavit is being submitted for the limited purpose of establishing probable cause for a search warrant, I have not included every detail of every aspect of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause. I have not, however, excluded any information known to me that would defeat a determination of probable cause. The information contained in this Affidavit is based upon my personal knowledge, my review of documents and other evidence, and my conversations with other law enforcement officers and other individuals. All conversations and statements described in this Affidavit are related in substance and in part unless otherwise indicated.

PROBABLE CAUSE

5. Your Affiant has probable cause to believe that, on and around January 27, 2013, CHRISTOPHER LEE STEVENS, JR., made unlawful entry into Glade Valley Sporting Goods, a Federal Firearms Licensee, stole a number of firearms, and possessed said firearms while being a prohibited person, in violation of Title 18 U.S.C. §§ 922(g) (felon in possession), 922(j) (possession of stolen firearms) and 922(u) (theft from firearm dealer).

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6. On that date, at approximately 0310 hours, Richard Allen Creager Jr., a Federal Firearms Licensee and owner of the Glade Valley Sporting Goods (Glade Valley), located at 1728 N. Market St., Frederick, Maryland, received a call from his alarm company advising of a rear shop motion alarm at Glade Valley. Creager immediately responded to Glade Valley and found the adjoining business' bay door rolled open. Creager then called the alarm company and requested police assistance. Frederick Police Department (FPD) arrived shortly thereafter and searched for suspects with negative results. FPD located footprints in the snow leading away from Glade Valley. FPD determined that possibly two (2) suspects gained entry into the building by climbing onto the roof, where the suspect(s) pushed ductwork out of the way and entered the adjoining business, A&B Auto and Truck (A&B Auto). FPD then determined that from the office area of A&B Auto, which shares a wall with Glade Valley, the suspects broke and removed a piece of drywall which covered a glass window between Glade Valley and A&B Auto. The suspects then slid open the window, bent a chalk board that was covering the window from within Glade Valley and made their way through the hole into Glade Valley.

7. Creager subsequently advised that most of the firearms were secured in safes, but for a number of handguns in a display case in the showroom and one short barrel rifle located in his office area. From this display case and office area, the suspect(s) removed the following firearms that were among the firearms that have been reported stolen by Creager (several additional firearms were later discovered to also have been stolen):

- a. Heritage, Rough Rider, .22 caliber, revolver, bearing serial number B53886;
- b. Harrington & Richardson, 929, .22 caliber, revolver, bearing serial number AEB3004;
- c. Rheinische Metallwaren Und Maschinenfabrik, Dreyse Model 1907, .32 caliber, semi-automatic pistol, bearing unknown serial number;
- d. Star, Model B, 9mm caliber, semi-automatic pistol, bearing serial number 325572;

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- e. Beretta, Model U22 Neos, .22 caliber, semi automatic pistol, bearing serial number R31217;
- f. Beretta, Model U22 Neos, .22 caliber, semi-automatic pistol, bearing serial number R30089;
- g. Walther, P22, .22 caliber, semi-automatic pistol, bearing serial number Z076880;
- h. Smith & Wesson, 22A, .22 caliber, semi-automatic pistol, bearing serial number UCP9368;
- i. Beretta, 950B, .25 caliber, semi-automatic pistol, bearing serial number G43968;
- j. Smith & Wesson, Model 64, .38 caliber, revolver, bearing serial number CHV2861;
- k. Kel-Tec, P3AT, .380 caliber, semi-automatic pistol, bearing serial number KJH29;
- l. Special Weapons, SW53, .223 caliber, pistol, bearing serial number SDJ002.

8. FPD found various items throughout Glade Valley and A&B Auto that Creager and William Billek, the owner of A&B Auto, advised were not in the locations that they left them the night prior. Some of these items include, but are not limited to, firearms, a ladder, paint cans, drawers of tool boxes, locks to the garage doors, garage doors, tools, paperwork and shelving on the floor near where the drywall was broken. Further, FPD found a Fulton flashlight, which was "on" and located on the floor of the A&B office area. A hammer was also located on the floor of the A&B office area, and was possibly used to break up the drywall covering the window. It is believed that these items were handled by the burglars.

9. FPD collected the following evidence from A&B Auto, and, using sterile cotton swabs moistened with distilled water, FPD collected the following swab samples:

- a. 0505 hours - six (6) wrenches (floor-next to garage door)
- b. 0507 hours - orange flathead screwdriver (floor -near garage door)
- c. 0510 hours - swab sample - garage door lock (removed)
- d. 0512 hours - swab sample - paint can (outside) "classic red"
- e. 0515 hours - swab sample - paint can (near garage door)
- f. 0516 hours - swab sample - Maxwell House coffee can of keys
- g. 0518 hours - swab sample - J.C. Higgins Model 20 shotgun - garage floor
- h. 0520 hours - swab sample - door knob (inside) garage
- i. 0521 hours - swab sample - red tool box - 2nd drawer left side
- j. 0523 hours - swab sample - red tool box - 3rd drawer left side
- k. 0524 hours - swab sample - red tool box - long drawer – top

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- l. 0525 hours - swab sample - red tool box - right - top drawer
- m. 0526 hours - swab sample - red tool box - 2nd drawer right side
- n. 0528 hours - swab sample - red tool box - 3rd drawer right side
- o. 0529 hours - swab sample - red tool box - 4th drawer right side
- p. 0530 hours - swab sample - red tool box - door handle
- q. 0531 hours - swab sample - red tool box - 1st drawer - bottom left side
- r. 0532 hours - swab sample - red tool box - 2nd drawer - bottom right side
- s. 0533 hours - swab sample - red tool box - 3rd drawer - bottom left side
- t. 0535 hours - swab sample - red tool box - 4th drawer - bottom left side
- u. 0536 hours - swab sample - red tool box - 4th drawer - bottom right side
- v. 0538 hours - orange Phillips screwdriver - (on display counter garage office)
- w. 0540 hours - swab sample - white bucket of change
- x. 0548 hours - swab sample - large piece of drywall on floor
- y. 0551 hours - swab sample - garage door #2
- z. 0553 hours - swab sample - channel locks
- aa. 0554 hours - small blue Phillips screwdriver - (floor garage office)
- bb. 0555 hours - Fulton flashlight - (floor - garage office)
- cc. 0556 hours - hammer (floor -garage office)
- dd. 0600 hours - screwdriver (on desk next to window)
- ee. 0602 hours - small black/yellow flathead screwdriver- (on desk near window)
- ff. 0604 hours - crowbar - (on desk near window)
- gg. 0610 hours - swab sample - window between businesses
- hh. 0612 hours - swab sample - window opening
- ii. 0615 hours - swab sample - center desk drawer - right desk
- jj. 0618 hours - swab sample - 3rd desk drawer - left side (right desk)
- kk. 0620 hours - swab sample - 2nd desk drawer -right side (right desk)
- ll. 0621 hours - footprint on paper - (among papers garage office)
- mm. 0623 hours - swab sample - shelf on floor -garage office
- nn. 0625 hours - swab sample - PPS43 short barrel rifle - on desk
- oo. 0626 hours - swab sample - PS90 sub machine gun - on desk
- pp. 0631 hours - buccal swab from the owner of the garage, Billek, William Andrew.
- qq. 0632 hours - buccal swab from the owner of the gun store, Creager, Richard Allen.

10. FPD collected the following swab samples from Glade Valley:

- a. 0642 hours - swab sample - laptop (on floor)
- b. 0646 hours - swab sample - gun case knob
- c. 0650 hours - swab sample - FAL rifle - on floor

11. FPD collected the following swab samples from the ductwork, which had been removed from the building, creating an access point into A&B Auto:

- a. 0703 hours - swab sample - ductwork (inside) piece

b. 0708 hours - swab sample - ductwork - pieces on roof

12. Before clearing the scene, FPD was advised that a Winchester Zenon flashlight located on the floor of A&B near the entry point to Glade Valley did not belong to either business owner. At 0710 hours, FPD seized the Winchester Zenon flashlight and collected swab samples from it.

13. On or about January 29 and 30, 2013, FPD Detective Kevin Forrest recovered surveillance video from nearby businesses, the Monocacy Brewing Company, located at 1781 N. Market Street, and Air and Vac Services, located to the rear of Glade Valley and A&B Auto.

14. From the video recovered at Monocacy Brewing Company, two (2) suspects can be seen running through the rear parking lot of the brewery to the upper section of the Air and Vac building. The suspects were out of view for a few seconds then reappeared moving from the back side of the building to the front. The suspects crossed into the parking lot of the garage, and disappeared from view. Over an hour later, the two (2) suspects were seen running from the upper portion of the Air and Vac Services building, northbound across the Brewing Company parking lot, in the direction of Wormans Mill Ct.

15. From the video recovered from Air and Vac Services, two (2) suspects were seen running from the area of the A&B Auto and Glade Valley. The first suspect appears to be a white male, with closely trimmed dark hair. The male appeared to be carrying something (possibly a rifle) tucked under his right arm and appeared to be wearing some type of coveralls. The second suspect has a hood pulled over his head. This male was carrying a bag and was wearing a dark-colored shirt.

16. On February 21, 2013, Confidential Source One (CS1) contacted ATF Baltimore Field Division regarding information s/he knew regarding the January 27, 2013, burglary at

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Glade Valley Sporting Goods. Your Affiant telephoned CS in response. CS stated that Richard JORDAN, an inmate at Frederick County Adult Detention Center, bragged to other inmates the week prior that his "brother" and a friend had committed a burglary and stole sixteen (16) firearms. CS stated that JORDAN's "brother" committed the burglary in order to gain status in the criminal street gang DMI (Dead Man Inc.). Specifically, the "brother" was seeking to attain the status of "Dog" or "Dawg" within DMI. CS noted that Richard JORDAN stated that he, his "brother" and friend were to keep a firearm each. CS could provide no other information but stated that s/he saw a bulletin as posted by ATF and wanted to pass on the information. *LR*

17. At that time, Detective Forrest began monitoring jail calls made by JORDAN beginning January 28, 2013, the day after the burglary at Glade Valley. The majority of JORDAN's calls were placed to a female named "Jaime", who is believed to be JORDAN's girlfriend, Jaime HUNT. Those calls are placed to phone number 301-874-5785, which is a landline number. The following is a list of relevant calls:

- a. 02/03/13 (ICS Call Number 6296870) - Call to HUNT, and, at Jordan's request, a three-way call is made to "Junior". In that call, JORDAN asked "Junior" how he's making money, to which "Junior" replied, "look in yesterday's paper". JORDAN then asked if he (Junior) meant the police blotter and he (Junior) said "yeah". JORDAN then asked "Junior" about "the store"; "Junior" laughed and said "yeah".
- b. 02/03/13 (ICS Call Number 6297123) - Call to HUNT. JORDAN heard telling other inmates to pull the newspaper out of the trash. JORDAN read the Police Blotter, and can be heard yelling to others, "That's Junior and Little Billy". Jordan then told HUNT to text "Junior" and "tell him to leave one for me". HUNT told JORDAN that "Junior" replied, "ha ha, alright". JORDAN told HUNT to ask "Junior" how many he got, to which she later told JORDAN, "16".
- c. 02/05/13 (ICS Call Number 6302572) - Call to HUNT. JORDAN asked HUNT if "Junior" dropped a gun off to her yet. HUNT replied, "no, why would he do that?" JORDAN then said that "Junior" will just tell him where they're at.
- d. 02/07/13 (ICS Call Number 6312209) – Call to HUNT who made a three-way call

to a Travis KEENEY. JORDAN told KEENEY that "Junior just hit a lick for like 16 guns".

18. Detective Forrest subsequently pulled the archived Frederick News Post Fire and Police Blotters, and found that there were three stories on that date – one of which was titled "Police Search for Robbers", which was the news story related to the Glade Valley Burglary.

19. FCADC Sergeant Kelsh subsequently identified "Junior" as Christopher STEVENS, W/M, 06/16/1991. Sergeant Kelsh advised that STEVENS is associated with DMI and JORDAN. Further, Det. Forrest queried STEVEN's in FPD records, which lists alias "JR" and "JuJu" for STEVENS.

20. On March 5, 2013, Maryland State Police (MSP) conducted a traffic stop on a Honda Accord, bearing Maryland registration 098BLM. The vehicle was occupied by a driver, rear passenger and front passenger Christopher Lee STEVENS, Jr. A K9 scan was performed which resulted in a positive alert. MSP then searched the vehicle and recovered a Walther, P22, .22 caliber, semi-automatic pistol, bearing an obliterated serial number (with secondary serial number Z076880). The firearm was one of the firearms reported stolen from Glade Valley Sporting Goods on January 27, 2013. The rear passenger, Reginald MYERS admitted to possession of the firearm and was subsequently arrested and charged accordingly. STEVENS was also arrested pursuant to unrelated charges.

21. On March 20, 2013, Confidential Source Two (CS2) told your Affiant and Det. Forrest that "JUNIOR" a/k/a "Chris STEVENS" is involved in the gang DMI. CS2 said that STEVENS told him/her that he broke into a gun store and stole approximately ten (10) or twelve (12) handguns and an "assault rifle". CS2 also stated that two (2) other individuals participated in the burglary; one (1) entered the building with STEVENS, while the other drove the getaway

vehicle. CS stated that STEVENS told him/her that they went through the roof of the gun store to make entry and that they wore "coveralls", "beanies" and gloves. STEVENS also told CS2 that once he and the other individual grabbed the guns, they left and drove off in a SUV driven by the third individual. STEVENS also told CS2 that they were at the gun store earlier in the day and "did their homework" prior to the burglary. CS2 stated STEVENS told him/her that he gave one of the firearms to "Tattoo Kevin" (later identified as Kevin COLLINS) in exchange for tattoos.

22. On March 22, 2013, Det. Forrest interviewed COLLINS who stated that he heard "Junior" talking about "hitting" a gun store and it was around that time that "Junior" presented some firearms to COLLINS in exchange for tattoos.

23. On April 23, 2013, Confidential Source Three (CS3) told your Affiant and ATF S/A Kevin Kimm that s/he knows "Christopher Stevens" a/k/a "Junior". CS3 stated that STEVENS told him/her that he broke into a gun store and "got a rack of guns" and that he was "masked up". CS3 stated that STEVENS is a member of the gang DMI and has tattoos on his face depicting the same.

24. On March 8, 2013, at the Frederick County Adult Detention Center, Det. Forrest served STEVENS with state charging documents in which STEVENS was charged with the Glade Valley Sporting Goods burglary. Your Affiant accompanied Det. Forrest. Your Affiant and Det. Forrest observed a tattoo on STEVENS' face that read "DMI", located between the area of his eyebrows.

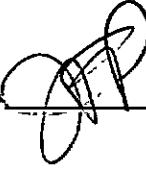
REQUEST FOR A SEARCH WARRANT

25. Given the facts set forth above, your Affiant has probable cause to believe that CHRISTOPHER LEE STEVENS, JR., has committed violations of Title 18 U.S.C. § 922(u),

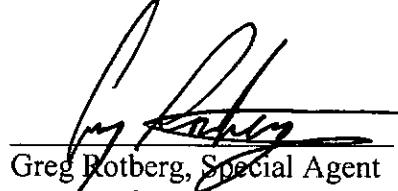
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922(j) and 922(g), when he made unlawful entry into Glade Valley Sporting Goods, a Federal Firearms Licensee, stole a number of firearms, and possessed said firearms while being a prohibited person. Further, on May 3, 2013, a Frederick County Grand Jury returned an indictment of CHRISTOPHER LEE STEVENS, JR., charging him with similar state violations with regard to the same incident.

26. Accordingly, your Affiant respectfully requests that this Court find probable cause that evidence of the aforementioned criminal violations is contained in the form of DNA in saliva in the possession of CHRISTOPHER LEE STEVENS, JR., a white male, with a June 16, 1991, a social security account number ending in 6808, and having been assigned an FBI number of 230326ED1. STEVENS is further described as being approximately five feet eleven inches tall and 170 pounds, with blue eyes and multiple tattoos covering his face, neck, chest, back and arms, currently located at the Frederick County Adult Detention Center, located at 7300 Marcies Choice Lane, Frederick, Maryland, 21704, so that the DNA sample may be compared to evidence collected during the course of this investigation, to include but not limited to, items described *supra* in paragraph 9, 10, 11, of this Affidavit.

Reviewing AUSA  (John F. Purcell)

WHEREFORE, I respectfully request that the Court issue a warrant authorizing members of the ATF, or their authorized representatives, including but not limited to other law enforcement agents assisting in the above-described investigation, to obtain DNA samples from CHRISTOPHER LEE STEVENS, JR., a white male, with a June 16, 1991, a social security account number ending in 6808, and having been assigned an FBI number of 230326ED1.



Greg Rotberg, Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to before me this 15th day of May, 2013



United States Magistrate Judge

User: KFORREST

Frederick Police Department

05/15/2013 07:12:06

STEVENS, CHRISTOPHER LEE JR

Photo Set Captured Date: 03/06/2013 00:00:00

